UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- against -

09 Cr. 1175 (JGK)

MEMORANDUM OPNION ORDER

STEPHEN GREEN,

Defendant.

JOHN G. KOELTL, District Judge:

Stephen Green has moved for the early termination of supervised release. Green originally was sentenced to a term of forty-one months imprisonment to be followed by a term of three years supervised release. Green completed his term of imprisonment on August 28, 2013. Therefore, he has spent about thirteen months on supervised release.

The defendant notes that he has complied with all of the conditions of his supervised release and that his probation officer does not object to the early termination of supervised release.

However, when the Court imposed the sentence, the entire sentence was intended to comply with the purposes of sentencing, and the term of supervised release was an important part of that total sentence. Continuing supervision provides protection to the public and furthers the goal of deterrence. While Green has complied with the terms of supervised release, that is to be expected and is not a basis alone to terminate supervised

release. <u>See United States v. Medina</u>, 17 F.Supp.2d 245, 247 (S.D.N.Y. 1998).

Green has failed to show that there are exceptional circumstances warranting early termination. See United States v. Lussier, 104 F.3d 32, 36 (2d Cir. 1997). He has failed to show that his supervised release conditions are interfering with his ability to work and to pay restitution. See, e.g., United States v. Harris, 689 F. Supp. 2d 692, 694-95 (S.D.N.Y. 2010). Green also has failed to show that the conditions of supervised release are onerous in any way. If there are particular conditions that require modification, Green can seek modification of those conditions. Green does refer to the fact that he is seeking employment outside the District that is supervising him. Green certainly can apply to expand the geographic limits of his supervision, which the Court would consider favorably.

Green's application for early termination of supervised release is **denied** without prejudice to make any further applications in the future.

SO ORDERED.

Dated: New York, New York September 25, 2014